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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
McIlwaine et al.	)	Examiner: <b>Benny Quoc Tieu</b>
	)	
Serial No.: 10/785,543	)	Art Unit: <b>2642</b>
	)	
Filed: February 24, 2004	)	
	)	
For: Method and System for Delivery	)	
of Individualized Training to	)	
Call Center Agents	)	

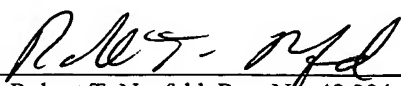
NOTICE OF RELATED LITIGATION

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP Section 2001.06(c), Applicant hereby notifies the Examiner that the above-referenced application is related to two patents that are currently asserted in a patent infringement litigation styled Witness Systems, Inc. v. Knowlagent, Inc., Case No. 1:02-CV-3331 pending in the U.S. District Court for the Northern District of Georgia. Specifically, the above-referenced application is a continuation that claims priority to an application that resulted in two previously issued patents, namely, U.S. Patent No. 6,324,282 and U.S. Patent No. 6,459,787. A copy of the complaint from the litigation is submitted with the Information Disclosure Statement accompanying this Notice. At the present time, the court has not construed the claims in those patents or made any determinations as to infringement or validity of the

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 25, 2004.

  
Robert T. Neufeld, Reg. No. 48,394

patents. Applicants will disclose any publicly available material information identified in the litigation that has not already been disclosed to the U.S. Patent and Trademark Office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. T. Neufeld", written in a cursive style.

Robert T. Neufeld

Reg. No. 48,394

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K&S Docket: 07117.105018 US CON



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

McIlwaine et al.

Serial No.: 10/785,543

Filed: February 24, 2004

For: Method and System for Delivery  
of Individualized Training to  
Call Center Agents

Confirmation No. 8142

Art Unit: 2642

Examiner: Benny Quoc tieu

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citation of information on the attached Form PTO-1449, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. A copy of each cited item is enclosed.

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

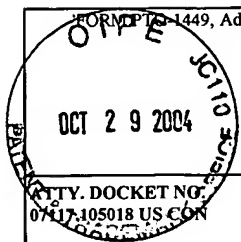
Respectfully submitted,

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K&S Docket: 07117.105018 US CON  
3578391

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Robert T. Neufeld, Reg. No. 48,394



FORM PTO-1449, Adapted

**LIST OF INFORMATION DISCLOSED BY APPLICANT***(Use several sheets if necessary)*ATTY. DOCKET NO.  
07417-105018 US CONSERIAL NO.  
10/785,543FILING DATE  
February 24, 2004APPLICANT  
McIlwaine et al.GROUP  
2642**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,100,329	3/31/1992	Deesen et al.			11/27/1990
	AB	6,775,377 B2	8/10/2004	McIlwaine et al.			7/18/2002
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	NAME	TRANSLATION YES NO.
	AL					
	AM					

**OTHER REFERENCES** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AN	Affidavit of John McIlwaine dated September 20, 2004
	AO	Complaint from litigation styled Witness Systems, Inc. v. Knowlagent, Inc., Case No. 1:02-CV- 3331, U.S. District Court for the Northern District of Georgia
	AP	Star Trainer; <i>Simulation Training for Call Center Agents</i>
	AQ	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.